

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Sweeney, Patrick J.  
Title: VERTEBRAL PROSTHESIS  
Appl. No.: 10/686,998  
Filing Date: 10/16/2003  
Examiner: Miller, Cheryl L.  
Art Unit: 3738  
Conf. No.: 7428

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

This communication is responsive to the Non-Final Office Action dated February 11, 2009, concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 12 of this document.

Please amend the application as follows: